

**IN THE CLAIMS**

This listing of claims replaces all prior listings:

1. (Currently Amended) A battery, comprising:

a spirally wound body including a spirally wound laminate of a cathode and an anode with an electrolyte in between,

wherein,

the anode includes (a) an anode current collector having a plurality of layers, including an inner current collector layer and an outer current collector layer, ~~and a pair of facing surfaces~~, (b) an outer anode active material layer disposed on an outer winding surface of the outer current collector layer of the anode current collector, and (c) an inner anode active material layer disposed on an inner winding surface of the inner current collector layer of the anode current collector,

the outer anode active material layer and the inner anode active material layer both include amorphous or a microcrystalline compounds of silicon or tin having a particle diameter in the range of 0.1  $\mu$ m to 35  $\mu$ m ~~at least one selected from a group consisting of metal elements and metalloid elements both capable of alloying with lithium and compounds thereof,~~

a capacity ratio between the outer anode active material layer and the inner anode active material layer in at least one region is within a range of 0.6 to 0.8 inclusive, and

~~the outer anode active material layer and the inner anode active material layer are alloyed through heat treatment with the anode current collector in at least a portion of the interface with the anode current collector,~~

a sectional surface of the spirally wound body has one of an elliptical shape and a shape including a straight line and a curved line, and a ratio of a longest diameter to a shortest diameter of the sectional surface of the spirally wound body with respect to the center of the spirally wound body is within a range of 1 to 3 inclusive[[,]]

~~the active material layers are made of particles having a primary particle diameter of 0.1  $\mu\text{m}$  to 35  $\mu\text{m}$ [[,]]~~

~~the outer anode current collector layer in contact with the outer anode active material layer is made of a material that is easily alloyed with the outer active material layer, and~~

~~the inner anode current collector layer in contact with the inner anode active material layer is made of a material that is easily alloyed with the inner active material layer.~~

2. (Cancelled)

3. (Original) A battery according to claim 1, wherein the outer anode active material layer and the inner anode active material layer are alloyed with the anode current collector in at least a portion of an interface with the anode current collector.

4. (Previously Presented) A battery according to claim 1, wherein the outer anode active material layer and the inner anode active material layer are formed on the anode current

collector through at least one method selected from a group consisting of a vapor-phase deposition method, a liquid-phase deposition method and a sintering method.

5. (Cancelled)